

TRANSMITTAL SHEET  
(Notice of Appellate Action)

<input type="checkbox"/> Notice of Filing <input type="checkbox"/> Cross Appeal <input type="checkbox"/> Interlocutory Appeal <input type="checkbox"/> Additional NOA <input type="checkbox"/> Amended NOA <input checked="" type="checkbox"/> Transmittal of Record <input type="checkbox"/> Transmittal of Certif. <input type="checkbox"/> Supplement to ROA <input type="checkbox"/> Supplemental Certif. <input checked="" type="checkbox"/> Other <u>supp to ROA</u>	UNITED STATES DISTRICT COURT for the <u>Western</u> DISTRICT OF NC at <u>Charlotte</u> Caption:  <b>Wayne Porter v. USA</b>	District Court No.: <b>3:05-cv-306</b>  4CCA No.: <u>05-7268</u>  Consolidated with No.:  Case Manager: <b>Sue Ellen Nagle</b>
---	---	--

**Part I**

Notice of appeal is enclosed to all parties (except to appellant in civil cases); NOA, docket entries, district court opinion and order, and magistrate judge's recommendation (if applicable) are enclosed to 4CCA.

1. NOA filed:	4. Fees <input type="checkbox"/> USA no fee required \$5 filing fee: <input type="checkbox"/> paid <input type="checkbox"/> unpaid \$250 docket fee: <input type="checkbox"/> paid <input type="checkbox"/> unpaid Pauper status: <input type="checkbox"/> granted <input type="checkbox"/> denied <input type="checkbox"/> pending in dist.ct. Does PLRA Apply? <input type="checkbox"/> Yes <input type="checkbox"/> No 3-strikes? <input type="checkbox"/> Yes <input type="checkbox"/> No [If PLRA applies, 4CCA sends forms & acts on application]
2. Amended NOA filed:	
3. District Judge: <b>Richard Voorhees</b>	5. Materials Under Seal in District Court: <input type="checkbox"/> Yes <input type="checkbox"/> No Party Names Under Seal in District Court: <input type="checkbox"/> Yes <input type="checkbox"/> No
6. Official Ct. Reporter(s):  Contract Court Reporter:  Coordinator:	7. Transcript In-Court Hearing Held: <input type="checkbox"/> Yes <input type="checkbox"/> No  8. Criminal/Prisoner Cases <input type="checkbox"/> recalcitrant witness Defendant's Address: <input type="checkbox"/> on death row <input type="checkbox"/> in custody <input type="checkbox"/> on bond <input type="checkbox"/> on probation

**Part II**

## TRANSMITTAL OF RECORD TO COURT OF APPEALS

ORIGINAL RECORD	SUPPLEMENT TO RECORD - SUPPLEMENT # <u>1</u>
Pleadings: Vols. _____	Pleadings: Vols. <u>4</u>
Transcript: Vols. _____	Transcript: Vols. _____
Exhibits: Vols. _____	Exhibits: Vols. _____
Depositions: Vols. _____	Depositions: Vols. _____
State Ct. Record: Vols. _____	State Ct. Record: Vols. _____
Sealed: Vols. _____	Sealed: Vols. _____
No. of Boxes: _____	No. of Boxes: _____

Deputy Clerk: Betsy WallacePhone: 704-350-7412Date: 10/4/05